

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LISA BELYEW,

Petitioner,

v.

HOVEY,

Respondent.

No. 2:21-cv-0919-EFB P

ORDER

Petitioner is confined to the Central California Women’s Facility. The Clerk of the Court opened this action on May 20, 2021, upon receipt of a document filed by petitioner entitled “(1) Petitioner’s Request to Augment the Record and (2) for a 60-Day Extension in Which to File a Federal Writ of Habeas Corpus, 28 U.S.C. § 2254.” ECF No. 1. On page seven of the filing, petitioner states that she “filed for a stay and abeyance on or about April 17, 2021.” *Id.* at 7. Court records confirm that petitioner made such request in an action she is already litigating, *Belyew v. Pallares*, No. 2:19-cv-0294-JAM-AC, ECF No. 30. Thus, it appears that petitioner did not intend to commence a new action with her two-part request but rather, to file it in the action she is already litigating. Because petitioner did not intend to commence this action, the court will direct the Clerk of the Court to close this case.

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1 Accordingly, it is ORDERED that the Clerk of the Court is directed to file petitioner's
2 "(1) Petitioner's Request to Augment the Record and (2) for a 60-Day Extension in Which to File
3 a Federal Writ of Habeas Corpus, 28 U.S.C. § 2254" (ECF No. 1), *nunc pro tunc*, in the action
4 designated *Belyew v. Pallares*, No. 2:19-cv-0294-JAM-AC (E.D. Cal.) and to close this case.

5 DATED: June 14, 2021.

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7 EDMUND F. BRENNAN
8 UNITED STATES MAGISTRATE JUDGE
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